

**State of the Park
1998**

The Adirondack Park

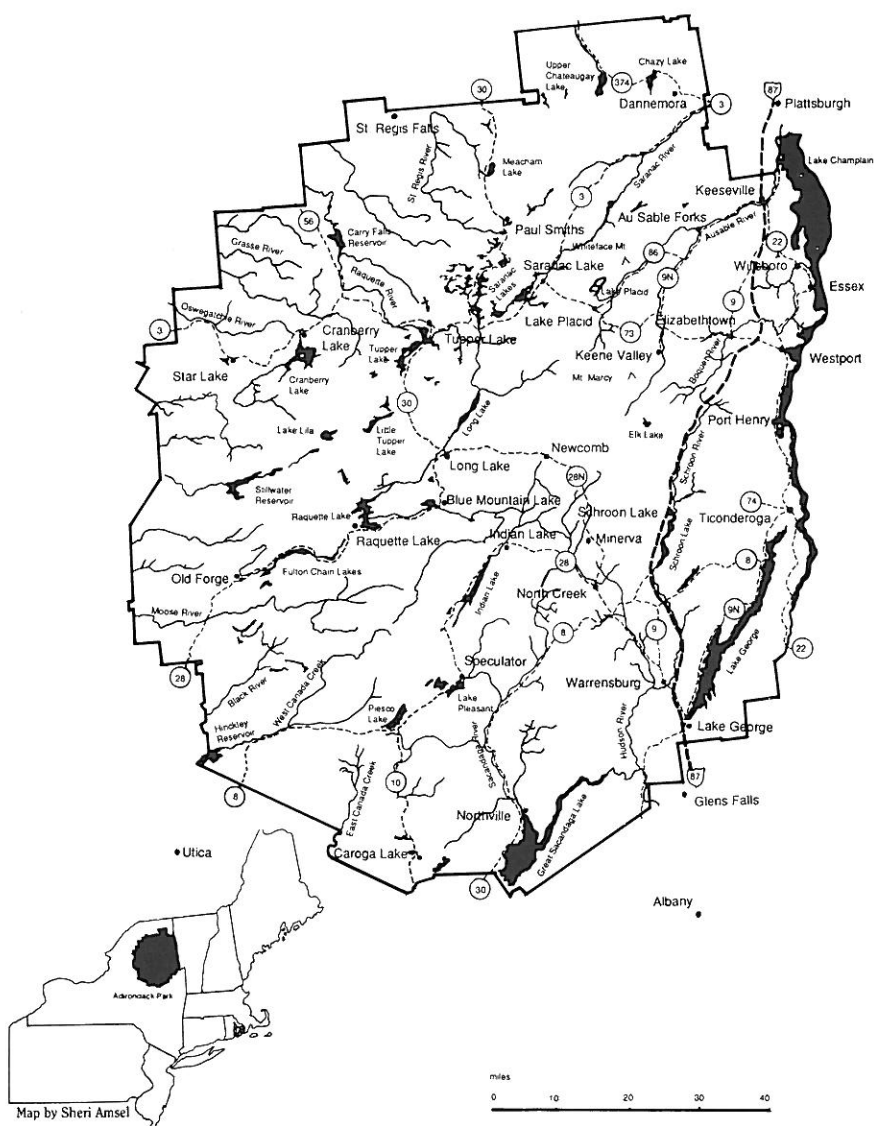
Six-million-acres of public and private land containing the largest assemblage of Old Growth forests east of the Mississippi River as well as 105 villages and towns...

The Adirondack Park is the largest park in the contiguous United States. It contains six million acres, covers one-fifth of New York State and is equal in size to neighboring Vermont. Few people realize that the Adirondack Park is nearly three times the size of Yellowstone National Park.

More than half of the Adirondack Park is private land, devoted principally to forestry, agriculture and open-space recreation. The Park is home for 130,000 permanent and 110,000 seasonal residents, and hosts an estimated nine million visitors each year.

The remaining 45 percent of the Park is publicly owned Forest Preserve, protected as "Forever Wild" by the NYS Constitution since 1895. One million acres of these public lands are designated as Wilderness, where a wide range of non-mechanized recreation may be enjoyed in an incomparable, natural setting. The majority of the public land (more than 1.3 million acres) is classified as Wild Forest, where motorized uses are permitted on designated waters, roads and trails.

Plants and wildlife abound in the Adirondack Park, many of them found nowhere else in New York State. Never-cut ancient forests cover more than 100,000 acres of public land. Ironically, much of the Park is wilder and more natural today than it was a century ago, when irresponsible logging practices and forest fires ravaged much of the yet-unprotected Adirondack region. Someday, all native wildlife species, including those lost in the last century (the wolf, moose, lynx and cougar) may live and breed here.



Map by Sheri Amsel

The western and southern Adirondacks are a gentle landscape of hills, lakes, wetlands, ponds and streams. In the northeast are the High Peaks. Forty-three of them rise above 4,000 feet and 11 have alpine summits that rise above timberline.

Nothing characterizes the Adirondack Park like its waters. The Adirondacks include the headwaters of five major drainage basins. Lake Champlain and the Hudson, Black, St. Lawrence and Mohawk rivers all draw water from the Adirondack Park. Within the Park are more than 2,800 lakes and ponds, and more than 1,500 miles of rivers, fed by an estimated 30,000 miles of brooks and streams.

Embodied in this and other Adirondack Council reports is a vision of the Adirondack Park that will serve as a

global model for integrated land use and conservation.

In the next century and beyond, the Adirondack Park must continue to offer vast areas of undisturbed open space as a sanctuary for native plant and animal species, and as a natural haven for human beings in need of spiritual and physical refreshment. It must also provide for sustainable, resource-based local economies and for the protection of community values in a Park setting.

This publication is but one step in the Park-protection process. Through continuing public education and advocacy for the protection of the Park's natural character, the Adirondack Council hopes to advise public and private policy-makers on ways to safeguard this last remaining great expanse of open space.

On the Cover

The South Branch of the Grass River, photographed this summer by Adirondack Council staff member Gary A. Randorf, is just one of four rivers contained within the 141,000 acres of land and water offered for sale in the Park by Champion International. The Pataki Administration is seeking to purchase the rivers, major wetlands and boreal forest for the Forest Preserve and to buy development rights on the remaining 100,000 or so acres.



*State of the Park
Fall 1998*

The Adirondack Council

Dear Members and Friends,

Over the past year, we have seen significant steps forward, both in the protection of the Adirondack Park's natural resources and in the promotion of sustainable economic activities for Park communities. Adding part of the Whitney estate to the Forest Preserve, ending the importation of solid waste into the Park, the Raquette River hydro-power settlement, and the submission of master plans to the Adirondack Park Agency are all significant accomplishments.

But as you read the State of the Park Report, you will realize that there is a great deal of unfinished business as well. As this report goes to press, the state is still negotiating with the Champion International Paper Company, seeking to protect all 141,000 acres of the company's ownership in the Adirondack Park. Approximately 360,000 acres of land are for sale in the Adirondacks. The state must put in place a classification and permanent management system for the new Whitney acquisition. Congress will be called upon to act on acid rain legislation. And efforts to promote thriving communities in the Adirondacks will continue.

The state has an enormous opportunity to chart a future for the Adirondack Park that includes more protected wildlands, large stretches of unbroken working forests and thriving communities.

Once again this past year, members of the Adirondack Council and residents of New York and the Northeast have made it crystal clear that they are committed to preserving the wild character of the Adirondack Park.

Thank you for your commitment.

Sincerely,

A handwritten signature in cursive script that reads "Tim Burke".

Timothy J. Burke
Executive Director



The Governor

Gov. George E. Pataki made important strides in open space protection over the past year, making purchases, setting aside funds for future projects and expanding state policy on easements. At the same time, he worked to adjust tax policy and to promote compatible economic development. However, the APA needs more funding and some new commissioners, soon.

Whitney Estate Protected



After a public and private negotiating struggle, the Governor completed the deal to add 15,000 acres of the Whitney Estate to the Forest Preserve. The state purchased most of Little Tupper Lake and all nine ponds to the west of it, along with some buildings and thousands of acres of forest. The negotiations ended amicably, causing the Whitneys to speculate that they would be willing to sell additional lands to the state in the near future. The remaining 36,000 acres of the estate forms the eastern edge of the Adirondack Council's proposed Great Wilderness.

Tackling a Taxing Problem



Governor Pataki proposed legislation this spring that would require the state to reimburse local governments for state-mandated property tax abatements given to private forest land owners. The Legislature approved the money for the reimbursement, but the Senate and Assembly could not agree on how to carry out the details of the program and the legislation failed to pass at the end of the session.

Pataki Antes Up



The governor proposed \$75 million for land protection in the state budget at the urging of conservation organizations concerned about 360,000 acres of private land up for sale in the Adirondacks. The organizations supported the Pataki budget submittal with a full-page ad in the New York Times, calling on the Legislature for support. The Legislature agreed and appropriated over \$20 million more than last year.

Making a Federal Case



The Governor showed his support for obtaining additional open space protection money from the federal Land & Water Conservation Fund by appointing a state-agency task force to work with organizations such as the Adirondack Council to convince Congress to act.



Adirondack Council Exec. Dir. Timothy J. Burke congratulates the Governor and the Whitney family on the bargain that added 15,000 acres of the Whitney Estate to the Forest Preserve. The event was held at the NYS Museum in Albany on June 1. Overnight camping is now available at 30 primitive sites.

Out of the Soup

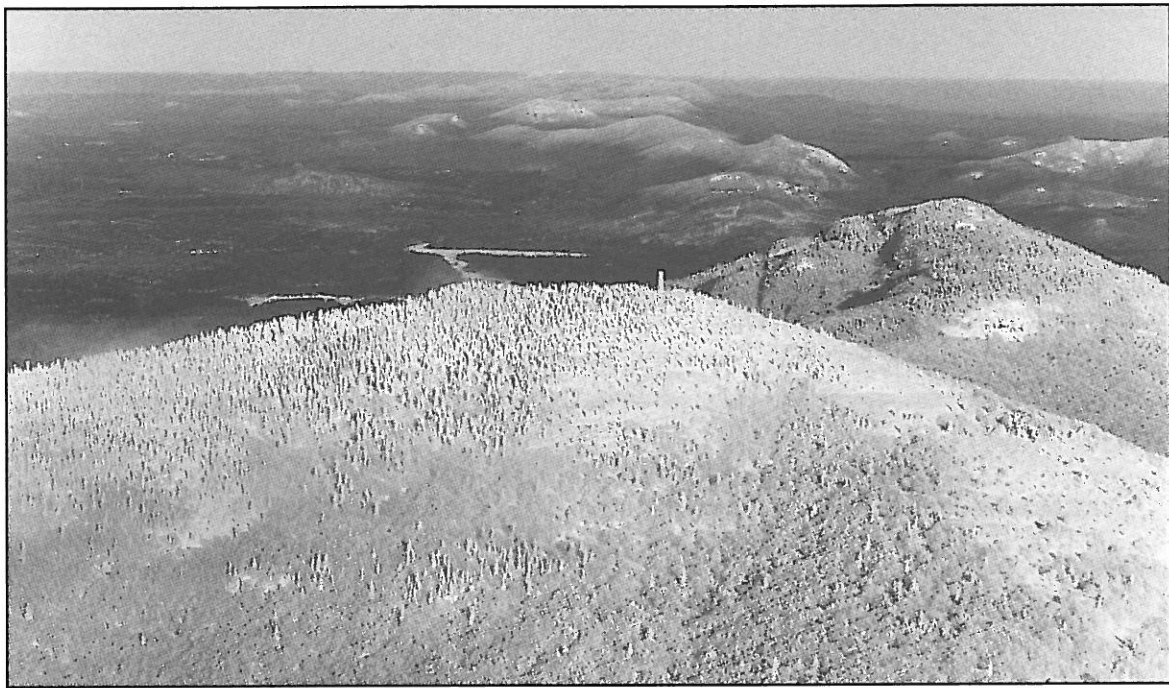


Governor Pataki recovered nicely from an early stumble by replacing Plattsburgh stock broker Greg Campbell with Caroga Lake retired teacher Richard Lefebvre as chairman of the Adirondack Park Agency. Lefebvre is a reasonable person with a genuine interest in environmental protection.

Dumping the Last Landfill



After telling Essex County officials in 1997 that he did not like their plan to allow a private hauler to import garbage into the Adirondack Park, the Governor backed up his convictions with cash. In August, Pataki approved a \$16-million package to close the landfill and prohibit trash importation into Essex County for at least 30 years. The Governor is also providing a grant to Hamilton County to help ship its waste out of the Park. Soon there will be no active landfills in the Park.



Loon Lake Mountain Fire Tower, frozen in last winter's snows, rises high above the southwest corner of Domtar Industries' timberlands in Clinton and Franklin counties. Domtar owns 105,000 acres of Adirondack land and is seeking a conservation easement over all of them. Pataki's support for "working forest" funds brought this potential deal a step closer to reality. Photo by Gary A. Randorf.

Easier Easements



The Governor proposed and successfully negotiated the addition of a "working forest" program to the list of eligible projects under the state Environmental Protection Fund. Now, the fund can be used to pay landowners who agree to sell the development rights to the state. Landowners can reduce their overhead, continue harvesting trees, protect open space and keep timber industry jobs in the Park. (See photo and caption above.)

Money Train



Over the past year, the Governor has provided much-needed funding to several compatible economic development programs in the Park. They include \$500,000 for the Governor's Adirondack Economic Initiative, to be managed by the Adirondack Economic Development Corp. (AEDC); \$100,000 for the construction of a recreational center in Indian Lake, Hamilton County; a commitment of \$200,000 to the Adirondack Park Community Investment Fund, for loans to new and expanding businesses; and, a whopping \$5 million for the redevelopment of the Adirondack Railroad.

Expanding Tupper's Economy



The Governor approved this spring a plan to expand the Sunmount Center for the Developmentally Disabled, creating more than 130 new jobs in Tupper Lake. The expansion was welcome news

to local officials who felt stung when the Dept. of Correctional Services dangled the possibility of a new prison in front of town officials without first checking whether the site was appropriate.

The prison was moved to Malone, but the Sunmount expansion will provide new, well-paid jobs at an existing facility, without the potential environmental damage the prison could have caused.

No Help for State Bill



For the second straight year, the Governor failed to support a bill that would have discouraged New York power companies from selling federal sulfur dioxide pollution allowances to upwind sources that cause acid rain in New York. The bill died in the NYS Senate after receiving overwhelming approval in the Assembly.

Fill the Slate, Coffers



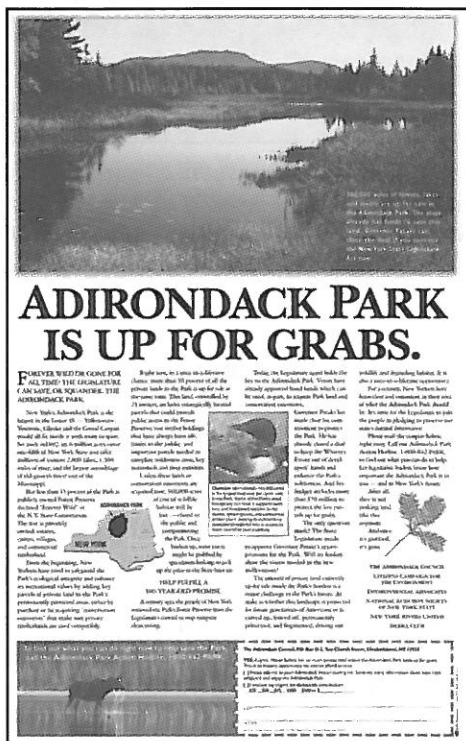
The Adirondack Park Agency has been struggling to obtain a quorum for its monthly meetings because two of the eight citizen-member seats are vacant and everyone but Chairman Richard Lefebvre and freshman member Frank Mezzano is serving on expired terms. In addition, the agency still needs funding for new project review officers and for additional enforcement staff.



NYS Legislature

With the Governor and most of the Legislature running for re-election, this year's session was often marred by political games and legislative gridlock. Increases in open space protection funding and a new policy on easements for the Tug Hill Plateau were the highlights of an otherwise sluggish year.

Both Houses



The Adirondack Council joined forces with the Sierra Club and several other environmental organizations to produce this New York Times ad during budget deliberations this spring.

Protecting Swimmers and Shorelines



Both houses failed to act on a bill that would have expanded the no-wake (slow speed) zone for power boats from 100 feet from shore to 200 feet from shore. The bill was sponsored by Assemb.

Richard A. Smith, D-Hamburg, and Sen. John A. DeFrancisco, R-Syracuse. It was meant to protect shorelines from erosion, and protect aquatic plants, shore-nesting birds and swimmers from being hit by boats and propellers. Nesting loons and their chicks are particularly vulnerable because their nests are built at the water's edge.

Landing More Land



Both houses of the Legislature approved budget bills that increased the pool of money available from the Environmental Protection Fund and Clean Water/Clean Air Bond Act by more than \$20 million. A total of \$75 million is available for use this year in the Adirondack Park to protect open space, water quality and wildlife habitat. The Legislature acted shortly after the Adirondack Council, Sierra Club and other organizations ran a full-page ad in the New York Times calling on the Legislature to match or exceed the Governor's proposal. (The ad is reprinted at left.)

Easier Tugging



Both houses agreed on a bill which mandates that the state pay a portion of the property taxes on all land on which it holds a conservation easement in Tug Hill towns. Previously, such payments were available only in the Adirondack and Catskill Parks. Tug Hill is a 2,000-foot-high plateau located between the Adirondack Park and Lake Ontario. It is the western boundary of the 26-million-acre Northern Forest area that includes the Adirondacks and parts of Vermont, New Hampshire and Maine.

Towering Decision



Assemb. Michael J. Bragman, D-North Syracuse, and Sen. Thomas Libous, R-Binghamton, quickly agreed this session to change their legislation on the placement of cell-phone towers to give sole authority over any new Adirondack towers to the Adirondack Park Agency. The bill stalled in both houses.

Down in Flames



After passing separate, incompatible bills in 1997, neither house of the Legislature even attempted to pass a bill this year to reimburse local Adirondack communities for the costs of fighting forest fires on state land.

NYS Senate

A Fond Farewell



Park and the integrity of the Adirondack Park Agency. He will be sorely missed.

Sen. Franz S. Leichter has announced that he will retire this year after 30 years as a Democratic legislator from Manhattan and the Bronx. Leichter, who owns a home in Essex County, was a friend to the Adirondack Park and the Adirondack Council in his decades of service. Time and again, Leichter called on his colleagues in the Senate to protect the natural character of the

Steal Away



Capitulating to pressure from the timber industry, the Senate for the second year in a row failed to tighten penalties on timber thieves who raid the Forest Preserve for lucrative and rare timber. The bill was supported by the Attorney General who has seen a rise in theft cases. Current penalties were established in 1909 and do little to deter theft.

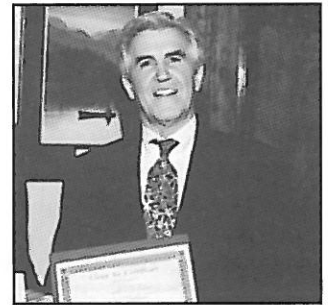
No Shelter from Storm



Despite the best efforts of Environmental Conservation Chairman Carl L. Marcellino, R-Oyster Bay, the Senate for the second year failed to move legislation that would help discourage New York utilities from selling leftover sulfur-dioxide allowances to polluters who contribute to New York's acid rain problems.

The Senate ignored evidence that at least one company had moved tens of thousands of pollution allowances from the Hudson Valley, where the pollution was unlikely to harm sensitive resources in New York, to western New York, where most went promptly up the smokestack and fell on both the Adirondacks and Catskills.

Sen. Majority Leader Joseph Bruno, R-Brunswick, (right) did not support the legislation despite the fact that his district includes the Taconic Ridge, one of the five areas of New York hardest hit by acid rain damage.



NYS Assembly

Right on Rain



Assembly Environmental Conservation Chairman Richard L. Brodsky, D-Scarsdale, led the way to a nearly unanimous approval for his bill aimed at discouraging all of New York's utility companies from selling leftover sulfur-dioxide pollution allowances to companies who pollute the Adirondack Park with acid rain. The bill died in the Senate.

Bi-Partisan



For the second year in a row, the Assembly passed a bill to increase penalties for timber theft on Forest Preserve lands. Although the bill was part of the legislative program of Attorney General Dennis C. Vacco, a Republican who is running for reelection, the Democratic Assembly leadership embraced the bill and passed it. Ironically, the GOP-controlled Senate failed to act.

Trial Balloon Deflated



Assemblyman Brodsky proposed a bill -- the Adirondack Recovery Act -- in January that would help stimulate the Adirondack economy by as-

sisting the tourism and wood products industries, while seeking to protect open space through conservation easements and acquisitions for the Forest Preserve. Adirondack representatives attacked the bill sight unseen.

Gambling with the Park



Assembly Speaker Sheldon Silver, D-Manhattan, refused this summer to remove the Adirondack Park from consideration for a state-sanctioned gambling casino. While the bill to amend the NYS Constitution failed, Silver's failure to recognize that the Park is an inappropriate site for a casino could cause this dispute to come up again.

Progress Abated



The Assembly's majority Democrats balked at the Governor's proposal to reimburse localities who lose tax revenue to the state-mandated property tax abatements of up to 80 percent for timberland. A factor: Assemb. Elizabeth Little, R-Queensbury, tried to force a vote on the tax bill during the debate of unrelated legislation. Leaders then killed all of her bills, halting the tax plan and other unrelated proposals.



Local Governments

Several communities worked to better themselves by improving land-use regulations, preserving open spaces, creating new access to popular attractions and maintaining the peace and serenity that make them special. Others continued the long tradition of attacking the state even when it was attempting to lend a helping hand.



Lake Pleasant, Hamilton County, will be a more pleasant place to visit as the town creates a new boardwalk for visitors. Photo by Alan Cedarstrom.

Pleasant Walking



Lake Pleasant officials gained approval for a boardwalk project in the village that will provide greater access to the shoreline for local residents and visitors, without harming environmental quality. The Adirondack Council supported the project when it came before the APA for approval.

Enlightened Self-Interest



In March, the Town of Harrietstown decided not to exercise its local power to object to the state's plan to acquire 900 acres of land known as Bartlett Carry for the Forest Preserve. The parcel is bounded by Middle and Upper Saranac Lakes, South Creek and the Saranac River.

The town was granted virtual veto power under the Environmental Protection Fund Act because the parcel was not among the 72 parcels listed in the state's 1992 Open Space Conservation Plan. Town officials told the press that state ownership would ensure that full taxes were paid on the land.

Down by the Old Mill Stream . . .



Warren County and Town of Johnsburg officials are working out the details of an agreement with the Open Space Institute that would result in the protection of 200 acres of forest and a locally popular swimming hole on Mill Creek in Johnsburg. OSI is expected to purchase the land this fall and the county and town have offered free labor for managing recreational access.

The town has handled swimming and camping at the private parcel for three years under an agreement with the current landowner, who is selling the land.

Peace & Quiet



In June, the Lake George Park Commission began working with local residents to determine whether its regulations limiting the noise from motorboats are adequate. Current regulations require 86 decibels or less at 50 feet from the boat. The state standard is 90.

New Code in Chester



Town of Chester officials are working on a local land-use plan to supplant the generic zoning code the town borrowed from the City of Baltimore in 1971, when the Adirondack Park Agency was created by the NYS Legislature. The code was never approved by the APA.

The new code will require larger shoreline lots than the APA currently requires. It would conform to APA zoning density standards. The details of the plan will be worked out with the guidance of the APA. If approved, the new zoning plan will give Chester greater control over small projects, lifting the burden from the APA staff on projects with no regional significance.

Unplanned Irony



Twice in the past 14 months, Town of Lake George officials have recklessly demanded that the town strike down its APA-approved land-use plan and take control of its own development issues. In reality, eliminating the APA-approved plan would mean giving back all of the town's current jurisdiction over minor projects, which the town earned when it created an APA-approved plan more than a decade ago.

Lets Study it To Death



Crown Point Town Supervisor and property rights extremist Dale French proposed a county-sponsored "study" of the Adirondack Park Agency to a committee of the Essex County Board of Supervisors. After the board agreed to look into the idea, French said that a private donor would pay for part of the study if it were performed by a group vehemently opposed to any land-use regulation.

\$16-Million Mess Ends



The Essex County board of supervisors is breathing easier these days, now that the state has agreed to give the county \$16 million to close its landfill and ban the county from opening another landfill for at least 30 years. The county had previously agreed to allow a private company to operate the county landfill and import garbage from outside New York State. The private company filled the landfill's only cell many years earlier than the county anticipated. County officials complained bitterly that the state would not allow an expansion of the mess it had created, all the while holding out their hands for a state grant.

Stop, or I'll Hit Me Again



In a rush to be the first town in the Adirondacks to veto a state land purchase, the Moriah Town Board in February denied an elderly widow permission to keep her family's land Forever Wild by selling a 350-acre parcel to the state. Like Bartlett Carry, the parcel was not among the original 72 listed in the 1992 Open Space Conservation Plan. Now-retired Town Supervisor Tom Scozzafava admitted to the press the inherent contradiction of extolling private property and property rights, and then denying a private citizen the right to sell her land to whomever she wished. The town even harmed itself financially with the decision. The property owner currently enjoys an 80-percent property tax abatement that would be eliminated if the state bought the land. The state pays full taxes on all Forest Preserve.

Stay Here or Get Sick



A red-faced Warren County Legislature is busy drafting a new policy regarding ads placed in the county's annual tourism brochure. One resort owner placed a \$1,600 ad in this year's edition, touting "A Unique Promise from Dunham's Bay Lodge: Guaranteed Safe Drinking Water." The ad claims that its water supply meets federal standards and "Not all establishments in the Lake George Region can make this promise."

The new federal standards require municipalities to use drilled wells or to treat their surface-water supplies. The ad stopped short of saying that any of the other drinking water supplies were unsafe. But it noted that Dunham's Bay Lodge has drilled wells. More than 250,000 copies were distributed as far away as Pennsylvania.



The Adirondack Council must be notified along with landowners if this now-closed facility causes drinking water pollution nearby. Photo by Gary A. Randorf.

New Federal Study Prompts Congress

NAPAP Report: Second Consecutive Federal Study to Show that Current

As this publication was going to press, the Adirondack Council received a call from U.S. Sen. Daniel Patrick Moynihan's staff, informing us that the Moynihan/D'Amato Acid Deposition Control Act (S.1097) would be the subject of Congressional Hearings in the first week of October. Such hearings provide experts and the public with an opportunity to make a case for or against a bill. They are often the first step toward Congressional approval. The Council will keep you posted on the bill's progress.

In August, a long-overdue federal report on acid rain was finally released by the Clinton Administration. The report was the second in less than five years to predict that the damage done to the Adirondack Park by acid rain will only worsen under current federal law. At the same time, the report confirmed that acid rain damage is spreading into areas of the nation that were once thought to be unharmed.

In short, the August report by the National Acid Precipitation Assessment Program informed Congress that the most sensitive areas of the nation will continue to suffer worsening damage without deep, new cuts in the air pollution that causes acid rain.

Nation's Top Scientists Agree

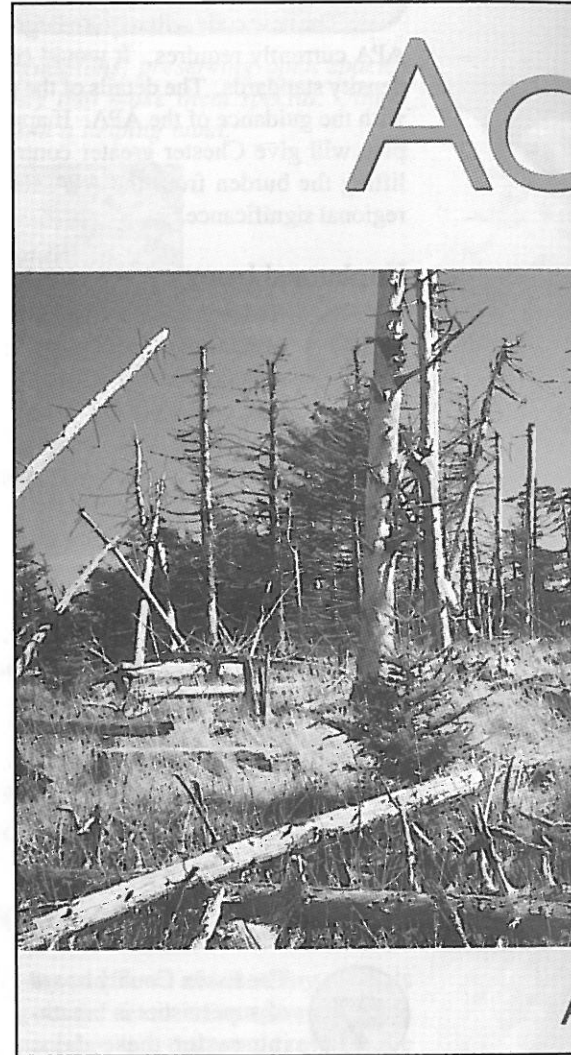
The National Acid Precipitation Assessment Program (NAPAP) is part of the National Science and Technology Council. It is comprised of the nation's top scientists, working for the U.S. Environmental Protection Agency (EPA), National Space and Aeronautics Administration (NASA), National Oceanographic and Atmospheric Administration (NOAA), and the Depts. of Agriculture, Energy and Interior. The National Science and Technology Council is chaired by President Bill Clinton.

Aside from the Adirondack Park, the report notes that acid rain damage is expanding in the Appalachians, Rockies, Sierra Nevadas, San Bernardinos and in northern New England. (For details on the extent of damage done in the Adirondacks and other areas of the country, see the Adirondack Council's 1998 publication "ACID RAIN: A Continuing National Tragedy," which is available free of charge.)

"We are pleased that the Clinton Administration has finally released this information to Congress," Adirondack Council Executive Director Timothy J. Burke told the press August 3. "It reinforces the research performed by the Adirondack Council over the past 20 years and will boost our credibility on the national level as we urge Congress to take action."

Forests From Maine to Georgia Affected By Acid Rain

The NAPAP report shows that the nation's top scientists are certain that even more lakes and ponds in the Adirondacks will die as a result of acid rain in the decades to come, and that forests from Maine to Georgia are being damaged as well. It also shows that high-elevation forest damage is worsening in the Rocky Mountains of Colorado and the Sierra Nevada and San Bernardino Mountains of California.

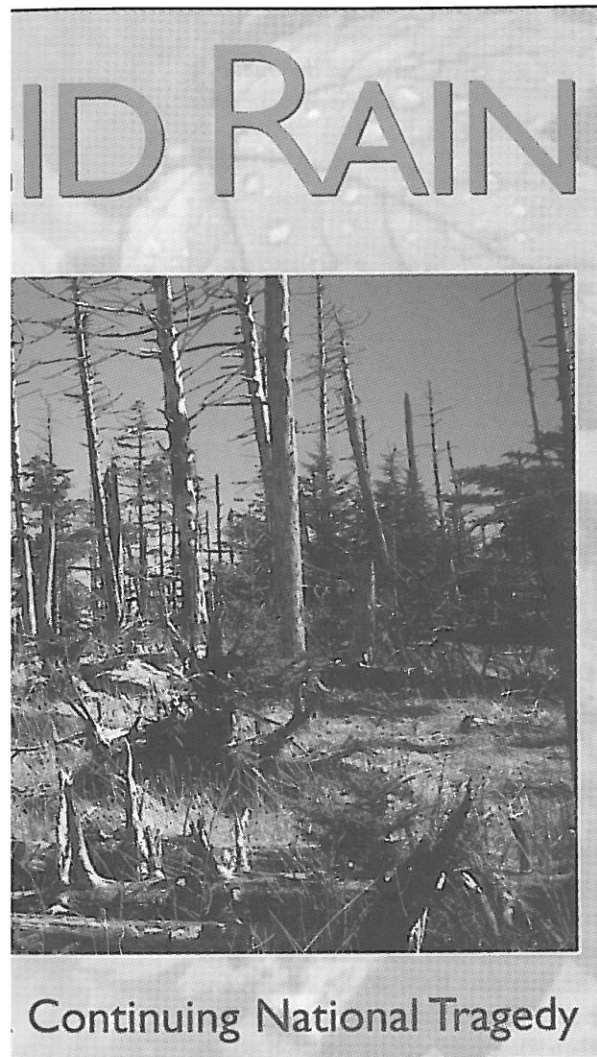


The Adirondack Council's 1998 acid rain report is available to the public and by policymakers. The federal government's primer on the topic and even refuses to release information on the problem. Use the website address www.nnic.noaa.gov/CEI for the NAPAP report.

To get a look at the NAPAP report on the government website, the
www.nnic.noaa.gov/CEI

Sessional Hearings on Acid Rain Bill

Federal Acid Rain Controls Are Inadequate to Prevent Continued Harm



publication has been well-received by the government has never produced an illustrated please printed copies of its most recent report below to access an electronic copy of the

**P report, use the federal gov-
only place it's available:
JR/NAPAP/NAPAP_96.htm**

The report documents that the federal acid rain program created in 1990 is inadequate to stop the destruction of the Adirondack Park. It doesn't say that recovery from acidification will take longer than they thought. It says that it will not happen at all. A quarter of our 3,000 lakes and ponds are already too acidic to support life. Within 40 years, that figure will double under the current program, according to a 1995 EPA report cited as reliable in the new, multi-agency report.

Findings Should Not Be News To Congress By Now

On the other hand, Congress already knows what it must do. This report is so late, the major findings have been reported elsewhere. It's the first time that the Clinton Administration has confirmed the information, but members of Congress have known for a year or more that deep, new cuts in sulfur dioxide and nitrogen oxides were needed from the nation's utility companies.

We believe the Moynihan/D'Amato acid rain bill, introduced this year, is the best tool we have to prevent the destruction of the Adirondacks and other sensitive areas. The bill was introduced in the House by Rep. Gerald Solomon, R-Glens Falls, but Rep. Sherwood Boehlert, R-Utica, has expressed interest in becoming the prime sponsor in 1999.

The National Acid Precipitation Assessment Program Report was delivered to Congress on the morning of August 3, as Congress's summer recess was beginning. It was due in 1996, as a follow-up to the Clean Air Act Amendments of 1990.

In July, U.S. Sens. D'Amato and Moynihan called for the report to be released. Meanwhile, NY Attorney General Dennis Vacco sent the agencies a letter warning that he would sue if the report was not released soon.

Some Details Fall Short of Congressional Mandate

The report was required as part of the Clean Air Act Amendments. It was supposed to contain three elements: a report on the latest scientific research on acid rain; a cost analysis of the current program; and, an explanation of what pollution reductions were needed to prevent ecosystem damage.

While the report claims that the allowance trading program is a financial success, it makes no specific recommendations for additional cuts to the utility plant emissions that cause most of our acid rain problem. Congress demanded that information when it called for the study.

NAPAP did a great job on the first two requirements, but didn't even pretend to answer the third. The Adirondack Council was able to take the work of the same university and government scientists that prepared the data for NAPAP and create a document that illustrates the problem and proposes an affordable solution. The Council did it in less than six months -- without an order from Congress.

NAPAP is suggesting that we wait another two years, while NAPAP produces yet another report, before we discuss a solution.



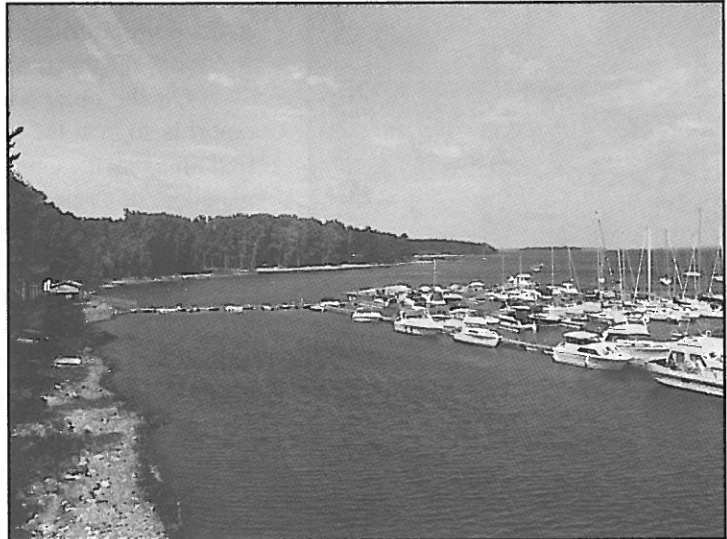
Adirondack Park Agency

A change in leadership at the Adirondack Park Agency made a world of difference in staff morale and the agency's ability to handle its responsibilities with a minimum number of distractions. Overall, things continue to improve, despite a continued shortfall in funding and staffing and two vacant seats on the board of commissioners.

Just Fine (Twice)



The APA obtained the largest fines in its history in 1998, when it completed the prosecution of the owner and previous owner of a marina in Clinton County. Without an APA permit, the two owners expanded the facility far beyond the 25 percent allowed, despite repeated warnings from the agency. The agency estimated that the owners of Carter Marina (shown at right) had reaped huge profits from illegal docking and mooring fees. After reviewing the case and participating as a party in the negotiations, the Adirondack Council called on the APA to levee the largest fine in its history (the old record was \$5,000). A state court ordered the current owner to pay a fine of \$10,250. The former owner settled his case with the APA by paying a fine of \$7,500.



Salvaging the Environment



The APA's plan for allowing timberland owners to clear trees damaged by the January ice storm was far more environmentally friendly than the one proposed by then-Chairman Greg Campbell immediately following the July "Blowdown of 1995." Just one month after the departure of Campbell, the APA produced a general permit for clearing ice storm damage. This version protected steep slopes, wetlands and water quality, while allowing landowners to salvage some of the economic value of their damaged woodlands.

Twain Rock & Hard Place



The APA's enforcement staff stood firm in the face of fierce criticism this year, while attempting to sort out a series of apparent violations of the agency's land-use code at the Dexter Lake home of country music singer Shania Twain. The APA investigated after complaints from neighbors. It found that Twain and her husband Jeff "Mutt" Lange had torn down Sunbeam Lodge, a 16-room, copper-roofed mansion, and built a commercial recording studio on the site without a permit. It also appeared that the new septic system had been built in a protected wetland and that wetlands may have been drained and/or filled. The APA is attempting to negotiate a settlement for the violations, while taking local heat for Twain's decision to sell the estate.

A Vision of the Future



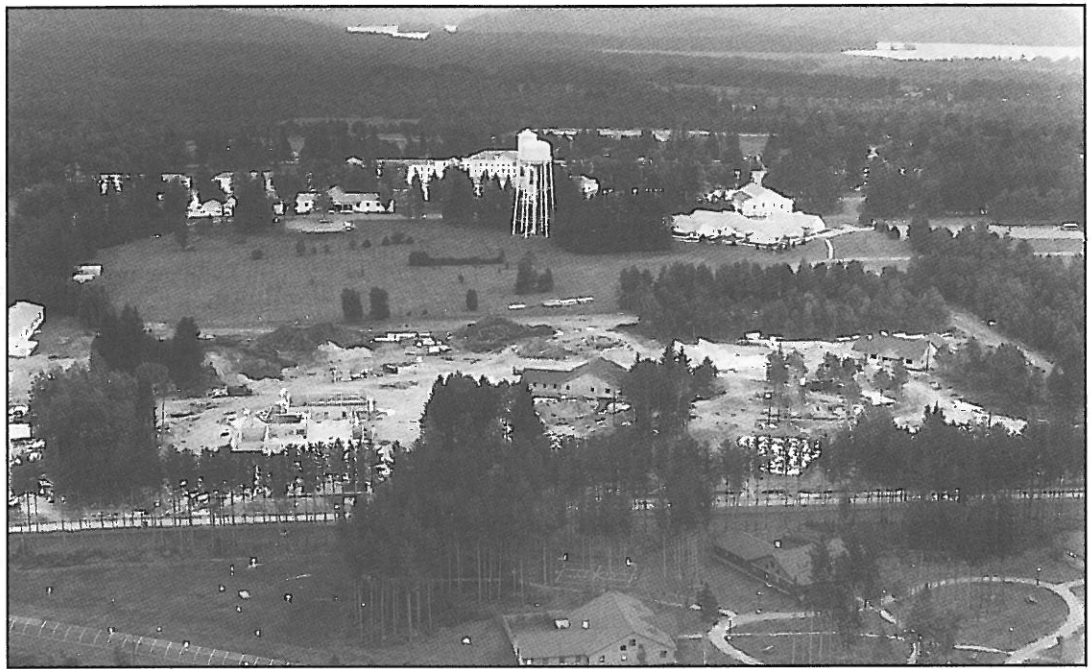
The APA added two major properties to the list of developed land holdings on which the owner must submit a master plan before any future development is considered. During the negotiations for 15,000 acres of the Whitney Estate, the APA made it clear that it would require a master plan if the 40-lot subdivision proposed for Little Tupper Lake proceeded. The subdivision was later canceled, when the state bought the land. This spring, when NYCO Minerals Inc. asked for permission to open a new mine near one of its existing mines in the Town of Lewis, the APA and the company agreed with the Adirondack Council's suggestion for a master plan that would be updated every five years.

Standing Firm



The APA refused to knuckle under to enormous political pressure this spring, when it told the Dept. of Correctional Services much more information was needed before a permit for a new prison in Tupper Lake could even be considered. The APA treated it like any other major project, despite repeated political attacks from Tupper Lake residents and criticism from the DOCS. The application was withdrawn before it was completed and a new site was chosen outside the Park.

Workers prepare the site for a major addition to the Sunmount Center in Tupper Lake. Photo by Gary A. Randorf.



Tight Ships Sail Through



The APA board and staff quickly reviewed the expansions of the Sunmount Center for the Developmentally Disabled in Tupper Lake and the Trudeau Institute in Saranac Lake. The two projects are expected to create hundreds of high-paying jobs without significant environmental disturbances. Both projects were endorsed by the Adirondack Council.

Towering Rebuke



APA Executive Director Daniel Fitts wrote a strongly worded rebuke to the Federal Communications Commission this spring when it became clear that the FCC wanted to prevent the APA and other state, regional and local land-use boards from interfering in any way with the rapid installation of digital television and cell phone towers. The APA should continue to have jurisdiction over siting within the Park.

Hold It, DOT



In August, the APA directed a NYS Dept. of Transportation application for a holding-tank septic system in Crown Point, Essex County to a public hearing -- a prelude to denying a permit. The APA noted that such systems are illegal for private residences and refused to make an exception for DOT. DOT revised the project to create a traditional system and APA approved it the following month.

No Preservatives Added



APA staff has developed a new set of stringent guidelines for the use of pressure treated lumber containing toxic preservatives in wetlands. As the APA itself did when constructing the wetland

boardwalk at the Paul Smith's Visitor Interpretive Center, applicants must agree to take steps during construction to prevent the preservatives (arsenic compounds) in the wood from entering the ecosystem.

Correction Needed



APA Commissioners erred in September, when they issued an after-the-fact permit to the Dept. of Correctional Services for 26 buildings at Camp Gabriels, near Saranac Lake, that were constructed without an APA permit between 1982 and 1990. The APA should have at least sought public input on the 16-year building spree before approving it.

Camp Gabriels officials also received permission for a new septic system in September, since it has more than doubled its inmate capacity since 1982. Although APA officials say no remediation is necessary, a private landowner could have faced fines and APA-mandated remediation before an after-the-fact permit was issued.

Watch it Fail



Last year, the APA wisely rejected an application for a holding-tank septic system roughly 19 feet from the shore of Cranberry Lake. But this summer, the APA staff recommended a problematic solution for the landowner, who has already built a house. The plan called for waste water to be pumped across a road, up a steep slope and onto a system of tiers built into the hillside.

Such engineered septic systems often fail and leak raw sewage into nearby waters. In addition, APA is seeking public input on a plan that will weaken septic system regulations in towns throughout the Park, rather than requiring more stringent septic system rules, as was done to protect the Catskill Watershed in 1996.



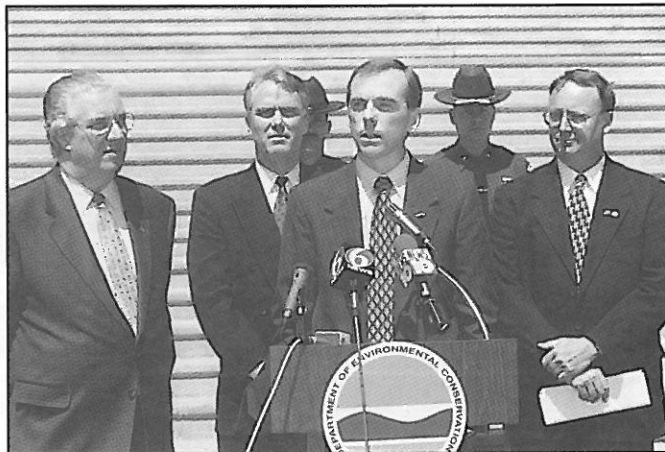
NYS Department of Environmental Conservation

Environmental Conservation Commissioner John P. Cahill and his staff made some great strides in protecting the Park's natural resources, both from familiar threats and some new and unexpected dangers. The only shortcomings seem to be the lack of a plan to deal with overuse of the High Peaks Wilderness and the need to better supervise the actions of employees who issue permits.

Enlightened Lighting Company Deal



Commissioner Cahill struck a landmark deal with the Long Island Lighting Company in which Lilco agreed not to allow the use of more than 1.2 million tons worth of sulfur dioxide pollution allowances by utilities whose smokestacks cause acid rain in sensitive areas of New York. Anyone who buys an allowance from Lilco or its successors must agree never to use the allowance in any of 22 states that cause acid rain in New York. The buyer must also agree to submit to the jurisdiction of New York State courts if there is a dispute over the use of the allowances. The Adirondack Council had been pressing Lilco to stop selling allowances to the Midwest since 1992. Over those past six years, Lilco sold more than 200,000 tons worth of allowances to upwind polluters and brokers who sell to those polluters.



Adirondack Council Exec. Dir. Timothy J. Burke congratulates Commissioner Cahill (back, center) on negotiating an end to Lilco's sales of pollution allowances to the Midwest. Sen. Carl Marcellino looks on at left, as does an unidentified Lilco executive.

Calmer Waters Ahead



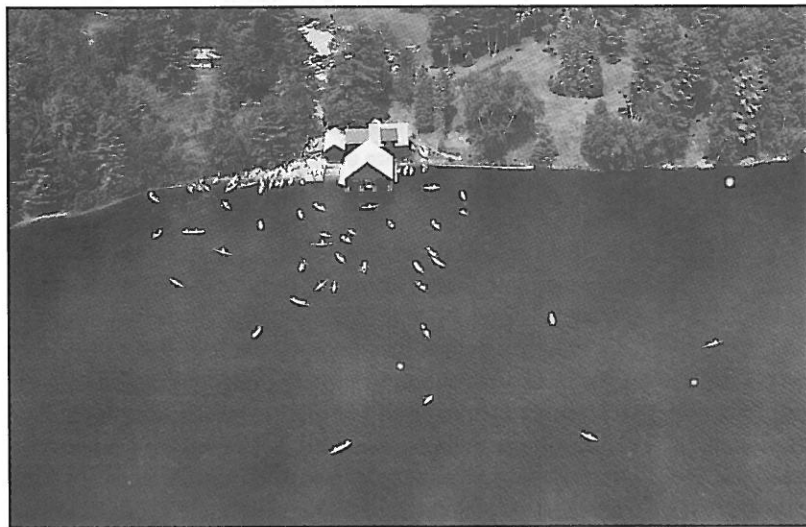
DEC modified stream disturbance permits in the Park after receiving comments from members of the public who were outraged over the misuse of similar permits in the Catskills two years earlier, which led to destruction of trout habitats. This time, DEC required more stringent supervision of the stream work in an effort to protect fisheries and river banks.

Protecting Our Investment



When it announced that it had secured the purchase of 15,000 acres of the Whitney Estate in Hamilton County for addition to the Adirondack Forest Preserve, DEC wisely announced several steps it would take to protect the sensitive land and water resources. DEC adopted interim management guidelines consistent with a Wilderness classification, banning mechanized public access. DEC also placed a ban on live bait and on the removal of the genetically unique Little Tupper Lake strain of brook trout from the parcel's waters.

Released bait fish can grow to overwhelm native fish populations. DEC is assessing the fishery to determine whether the current mandatory catch-and-release program must continue indefinitely. DEC is also constructing a special fishing pier at the Whitney area to allow access by the physically disabled. At left, canoeists rally in support of DEC's ban on motors. (Photo by Gary A. Randorf.)



The Blame Game

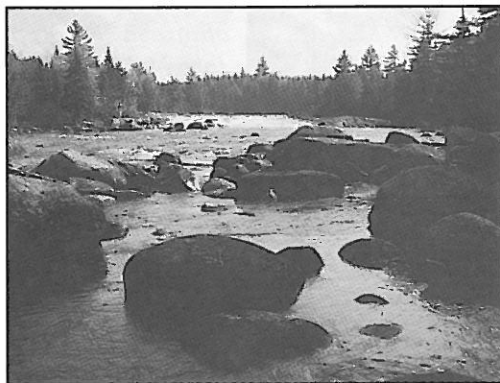


DEC suffered harsh public criticism this spring by doing its duty with regard to the maximum-security prison proposed for Tupper Lake. The Dept. of Correctional Services failed to check a basic piece of information -- whether the construction of a 1,500-bed facility would cause water pollution -- before filing an incomplete application for the project with the Adirondack Park Agency. When DEC informed DOCS that the proposed construction could pollute two underground aquifers, as well as a pond and the main body of Tupper Lake, DOCS folded its tent and moved the project out of the Adirondack Park to Malone. Many local officials blamed DEC and environmental activists for stopping the prison's construction in Tupper Lake.

New Strings on Raquette Hydro



DEC reached an historic settlement with the Niagara Mohawk Power Corp. (as well as several federal agencies, the Adirondack Council and other intervenors), on new licenses for hydroelectric facilities on the Raquette River. The deal will expand habitats for loons and fish, open up new recreational opportunities for the public and protect more than 11,000 acres of land from development through donations of land, purchases for the Forest Preserve and easement deals. Due to the large number of dams and the miles of river involved, the settlement was the largest of its kind in U.S. history.



Jamestown Falls, Raquette River (Randorf)

serve and easement deals. Due to the large number of dams and the miles of river involved, the settlement was the largest of its kind in U.S. history.

Peak Use, Peaks Hurting



Nearly four years have passed since the DEC announced that it was working to complete the unit management plan for the High Peaks Wilderness Area. The plan is needed to better manage the huge crush of hikers and campers who visit the state's highest mountains each year. The plan should include an overnight camping permit system and closure of the South Meadow Road to discourage overcrowding and overuse. More than 100,000 people used the High Peaks trail system in 1994, when the new plan was drafted. The plan was due in 1984. Use of the trails has increased each year, with a jump of 2,500 hikers and campers from 1996 to 1997 alone.

Change on Exchanges



DEC officials recovered from an early stumble in the current revision of the NYS Open Space Conservation Plan. The draft 1998 update contained language that would streamline the process when the state sought land exchanges with timber companies seeking to buy isolated tracts of Forest Preserve for logging purposes. After complaints from the Adirondack Council and others, DEC removed the ill-conceived provision.

No Scuba Logging



In June, the DEC and Adirondack Park Agency told representatives from the Armada Group, of Pulaski, and the Water-Logged Lumber Co., of Ashland, Wisc., that they would not agree to grant blanket permission to scour the bottoms of inland lakes and rivers for lumber that sank during turn-of-the century log drives. Officials told the companies not to expect permission for such logging on the Adirondack and Catskill Forest Preserves. Company representatives told the press some large American chestnut logs -- which were rare in the Adirondacks -- were worth up to \$50,000 each, since the trees are in great demand. Loggers must file separate applications for any areas they wish to search, state officials advised.

C.O.s on Target



Thanks to the quick actions of off-duty State Trooper Walter Teppo, DEC was able to identify, arrest and convict a Granville man of shooting to death a great blue heron at a pond in Hebron, east of Lake George. Teppo heard the shot and obtained a partial license plate number from a car leaving the scene. Conservation police spent four months tracking him down. The accused man claimed the shooting was an accident, but pleaded guilty to a violation-level offense. He was fined \$250.



Anne Lacy

Rein in Rogues

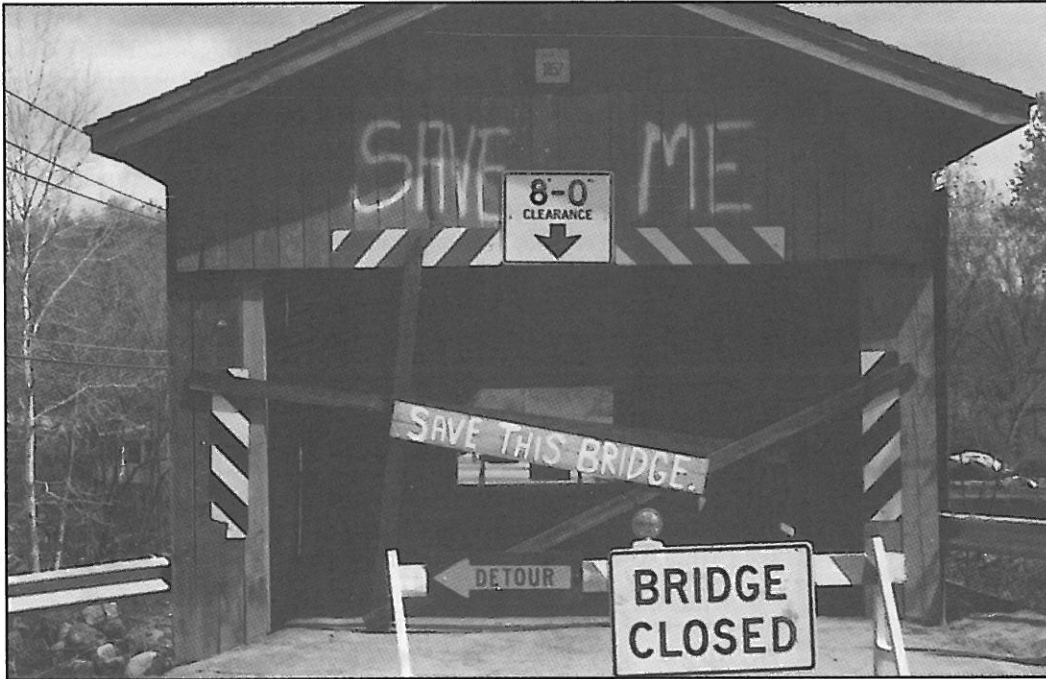


The actions of some employees have led to a costly lawsuit against the department over its new policy for the use of high-speed, all-terrain vehicles on the Forest Preserve. By issuing permits that allowed a handful of people to use ATVs on narrow hiking trails and other areas that are usually off-limits to motorized traffic, DEC raised the hopes of all those who seek to eliminate the ban on motorized traffic in Wilderness Areas and other easily damaged ecosystems. When DEC officials in Albany realized that the permits were issued illegally, they wisely revoked them. But two people who were issued such permits, only to have them revoked, have sued the state, charging discrimination.



Washington, D.C.

People who love the Adirondack Park had to prod and cajole the Clinton Administration into doing anything to help protect the Park's natural resources from acid rain and inappropriate development. Individual members of Congress did much more to help the Park than hurt it this year.



The Town of Jay's hopes of preserving the only covered bridge in the Adirondacks still capable of carrying vehicular traffic were boosted this year by a federal grant obtained by Rep. John M. McHugh, R-Watertown. Photo by Joseph Moore.

Bridging a Funding Gap



U.S. Rep. John M. McHugh, R-Watertown, obtained a grant of \$750,000 from the federal transportation budget to rehabilitate the historic covered bridge that spanned the Ausable River in Jay.

The only covered bridge in the Adirondacks still capable of carrying vehicular traffic, the wooden span was removed for safety reasons more than a year ago, but can now be rebuilt and replaced.

Dollars for Sustainable Development



The U.S. Dept. of Agriculture's Rural Development Program committed \$700,000, matched by local banks, to capitalize the Adirondack Park Community Investment Fund. The fund will provide loans for new and expanding businesses in the Park with the assistance of selected local banks that have chosen to participate.

The fund will provide loans for new and expanding businesses in the Park with the assistance of selected local banks that have chosen to participate.

Solomon Steps Down After 20 Years As Congressman from 22nd District

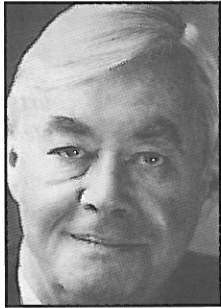
Congressman Jerry Solomon, R-Glens Falls, will call it quits after 22 years as the representative of the eastern edge of the Adirondack Park. Solomon was an opponent of the Northern Forest Alliance's efforts to gain approval for the Northern Forest Stewardship Act. But he was an ally on acid rain, sponsoring two bills aimed at cutting sulfur dioxide and nitrogen oxide emissions nationwide. Solomon's influence in Congress will be missed, since he chaired the House Committee on Rules and wielded enough power to give nearly any bill a fighting chance at approval. His replacement, no matter how sympathetic, will not have the same clout.



Bill Gaining Speed



U.S. Senators Daniel Patrick Moynihan, below, and Alfonse D'Amato this fall successfully called for hearings in Washington, D.C. to discuss their bill aimed at stopping the harmful effects of acid rain (S.1097).



Recent federal reports indicate much deeper smokestack emissions cuts are needed than current laws require. Hearings such as those slated for October are often the springboard to passage of a bill in Congress. The Council will keep its members informed as to the bill's progress.

Airborne Terrorism



In August, the head of Ohio's air pollution control program chafed at Senator D'Amato's accusation that Midwest states who cause acid rain in New York were guilty of "airborne terrorism." The

Ohio official said any further emissions cuts by Ohio power plants would harm the viability of the coal industry. "I don't give two hoots and a holler about the viability of their coal industry," D'Amato, right, told the Associated Press. "It's favoring one industry over another that got us into this mess."



Leonard Lee Rue III

On the Lynx



The U.S. Fish & Wildlife Service agreed in February to list the Canada lynx as a protected species throughout the Continental United States. NYS officials reintroduced a small population of Canada lynxes in the Adirondack High Peaks region in the mid-1980s. While several were killed by cars, recent state reports indicate sightings of tracks and both adult lynxes and kittens in various areas of the Park. Lynxes are also protected under state law.

Towering Mistake



The Federal Communications Commission, citing the Federal Telecommunications Act, forgot about places such as the Adirondack Park when it proposed to pre-empt state, regional and local zoning laws with regard to the placement of new digital television broadcast and cellular phone towers.

Good Report, Bad Timing



For two years, the Clinton Administration knew it was required to report to Congress on the success or failure of the current federal acid rain program. For two years, the administration did nothing. The report was withheld until New York officials threatened to sue and our two U.S. Senators pressured the federal agencies that comprise the National Acid Precipitation Assessment Program.

The report showed that deep additional cuts in sulfur dioxide and nitrogen oxides are needed to protect the most sensitive areas of the country, including the Adirondack Park. NAPAP released the report a day after Congress left town on its summer recess and has not yet made printed copies available for Congressional staff or the public. For a full run-down on the report and its significance to the Adirondacks, see the centerspread story on pages 8 and 9 of this report.

Smog Plan Fogs Issue



The Environmental Protection Agency is pushing to formalize draft regulations that would curb -- only slightly -- the amount of nitrogen oxides produced by Midwest power plant smokestacks. Nitrogen pollution causes both smog and acid rain. However, the program covers only a small part of the nation and applies only during the summer months, when smog is worst.

Acid rain is a year-round problem that must be addressed by regulations that curb emissions more stringently, and that apply during cold weather as well. The build-up of acidic snow and ice causes an acid shock in Adirondack waters when it melts each spring. Currently, about 28 percent of the Park's rivers and streams are too acidic for most fish throughout the year. Each spring, that figure leaps to 58 percent. The percentage of rivers suffering from spring acid shock is expected to continue rising without deeper cuts.



The Court System

One state court sent retail giant Wal-Mart an unwelcome -- but correct -- message this year, while local courts worked to erase the longstanding truism that they would not throw the book at those who poach wildlife or kill protected species.

Kill Four Bears, Go to Jail



Minerva Town Justice Allen LaRocque imposed a 30-day jail sentence and \$900 fine on Howard W. Goodspeed of Olmstedville after he was found guilty of six charges involving the fatal shootings of a black bear sow and three cubs in 1995. Goodspeed claimed that the bears had been a nuisance, but state investigators found no sign of damage to homes or property. Conservation officers investigated after Goodspeed's wife called to ask that the bears be tagged so the Goodspeeds could keep them. All four had already been field dressed when officers arrived to investigate.

Don't Bother to Call or Write



The Ticonderoga Town Justice resolved a charge of second-degree aggravated harassment against a former Crown Point resident by issuing a protective order for the Adirondack Council and its members. Accused of making harassing phone calls to the Council's office, the defendant was forbidden to contact the Adirondack Council or its members for a period of one year.

The Final Chapter?



The Appellate Division of the State Supreme Court has rejected an appeal by Wal-Mart of the North Elba Planning Board's decision to deny Wal-Mart a building permit. The Arkansas-based retail giant had proposed a 102,000-square-foot retail outlet in Lake Placid. Local officials worried that Wal-Mart would harm local businesses and that even a scaled-down version of the building would detract from the village's scenic beauty. The court upheld the local decision, agreeing that the village's tourism economy was dependent on its aesthetic appeal and environmental health.

Town Stands Up for Moose



Dresden Town Justice Jack Eggleston imposed the maximum fine of \$2,000 on a Rensselaer County man convicted in December of shooting to death a moose that had become a local celebrity in the Warren County hamlet of Hulett's Landing. While Edgar Terry Jr., 38, of Wynantskill, claimed that the shooting was accidental, police confiscated photos of him holding the antlers he had sawed from the moose's head.



NYS Attorney General

Attorney General Dennis C. Vacco had another excellent year in defending the Adirondack Park from acid rain and timber theft.

Tell Us Now, or Tell Us in Court

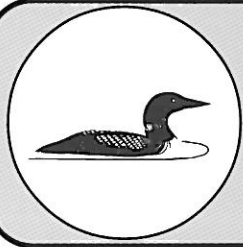


This summer, Attorney General Vacco came to the aid of New York acid rain activists by threatening to sue the federal agencies that comprise the National Acid Precipitation Assessment Program if they did not release their long-overdue report to Congress on acid rain. The report -- which confirmed fears that acid rain damage was worsening in some places and spreading in others -- was released less than 10 days after Vacco's warning. It was due in 1996.

Stumping for Justice



For the second year, Attorney General Vacco proposed legislation that would vastly increase the penalties for stealing timber from the Adirondack and Catskill Forest Preserves. The current penalties for timber rustling were set 90 years ago and no longer reflect market value, requiring the A.G. to convince a court to impose more appropriate penalties. The bill died in the Senate. In September, Vacco obtained a felony conviction for an Adirondack-region man who stole more than 600 trees from the Catskill Forest Preserve.



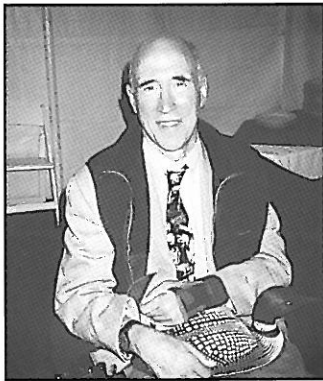
1998 Award Winners

Adirondack Nature Conservancy Pioneer Barnett Named Adirondack Council's Conservationist of the Year

On Saturday, July 11, more than 200 members and guests joined the Adirondack Council's board and staff to congratulate the recipients during the Council's annual Awards Dinner. The event was held on the shore of Mohegan Lake at Great Camp Uncas, Raquette Lake.

Here's a look at the award winners and why they were chosen by the Adirondack Council's Board of Directors for special honors in 1998.

Conservationist of the Year: Timothy L. Barnett



Mr. Barnett is executive director of the Adirondack Nature Conservancy, Keene Valley, NY. He has held this post since 1972, when he was hired to create what later became the Adirondack Chapter of the Nature Conservancy.

To date, his efforts at open space protection through the purchase of land and conservation easements, has resulted in the acquisition/protection of roughly 240,000 acres (351 square miles) of lakes, forests, rivers and mountains in the Adirondack Park. This represents more than 2 percent of all the land protected by the Nature Conservancy in the entire U.S. and Canada -- and 96 percent of all TNC-protected land in NY State.

Park Heritage Award

The Adirondack Museum, Blue Mountain Lake, NY

Described by the New York Times as "the Smithsonian of the Adirondacks," the Adirondack Museum is the largest and best collection of Adirondack art, crafts, historical artifacts and literature found anywhere. The museum hosts more than 90,000 visitors a year. Director Jackie Day accepted the award for the museum.

Park Stewardship Award

Boquet River Association, Elizabethtown, NY

Founded in 1984, BRASS has been working to protect the water quality and habitat of one of the area's best-known

trout streams. BRASS's erosion control and public education efforts have helped to heal more than two centuries of abuse and neglect inflicted upon the river by loggers, charcoal makers, poor farming practices and dam builders. It has established Essex County's only state-certified water quality testing lab and works with landowners and local officials along the entire length of the waterway to help improve the river's health and public access. Director Robin Ulmer accepted the award.

Environmental Education Award

Anne Lacy, Lake Placid, NY

Artist Anne Lacy has been producing some of the most magnificent illustrations of Adirondack flora and fauna for decades. She is the artist who illustrated the *Adirondack Wildguide*, a 264-page natural history study of the Adirondack Park. Her painting of a mother loon and its chick not only graces the cover of the book, but was adapted to become the Adirondack Council's official logo. Her art work highlights the Adirondack Council's poster-map of the Park, and appears in the exhibits and journals of the Smithsonian Institution and the NYS Science Service. Other books illustrated by Ms. Lacy include *The Wild Edge* by Philip Kopper and *Field Guide to Northeastern Ferns* by Dr. Eugene Ogden.

Community Conservation Award

Peter Hornbeck, Olmstedville, NY

Aside from his work in helping to educate the people who come to his shop on the time-honored craft of Adirondack boat building, Mr. Hornbeck is an avid conservationist who never fails to remind his customers to be respectful of the wilderness. At his workshop in Minerva, Hornbeck turns out some of the finest watercraft in the entire world. Businesses like his are also vital to small towns in the Adirondack Park, since they provide employment and influx of capital that might never be realized without the skill and vision of a committed artisan and conservationist.

The Adirondack Council

Founded in 1975, the Adirondack Council is a private, not-for-profit organization dedicated to protecting and enhancing the natural and human communities of the Adirondack Park through research, education, advocacy and legal action.

The Council receives moral and financial support from its more than 18,000 members and from private foundations. The Council's national and regional member organizations include the Association for the Protection of the Adirondacks, Citizens Campaign for the Environment, National Audubon Society, National Parks and Conservation Association, Natural Resources Defense Council and The Wilderness Society, with a combined membership of more than 1.4 million people.

Adirondack Council memberships begin at \$25. Membership benefits include regular newsletters, special reports such as this one, action alerts and the opportunity to play an active role in protecting the Park's future.

Staff

Executive Director, Timothy J. Burke

Lillia Anson	Mary Lou Moore
Eleanor Audino	David G. Nelson
Elaine Burke	Wendy S. O'Neil
Michael G. DiNunzio	Gary A. Randorf
Lisa M. Genier	John F. Sheehan
Bernard C. Melewski	Martha Swan
Joseph M. Moore	Linda Whalen

Board of Directors

Chairman, John L. Ernst

Stephen K. Allinger	Scott L. Patterson
Peter R. Borrelli	Peter B. Pope
David E. Bronston	Katharine M. Preston
Alison Hudnut Clarkson	Richard L. Reinhold
Dean L. Cook, Secretary	Avery Rockefeller III
James C. Dawson	John K. Ryder, Jr.
Joanne W. Dwyer	Ellen Marshall Scholle
Elizabeth C. Eldridge	Vice Chair, David Skovron
J. Edward Fowler	Constance A. Tate
Barbara L. Glaser	Vice-Chair, Thomas D. Thacher II
Alyse Gray	Treasurer, Curtis R. Welling
Gary F. Heurich	Patricia D. Winterer
George R. Lamb	Cecil Wray, Jr.
Ernest B. LaPrairie	

Where to Find Us

Main Office

P.O. Box D-2
Two Church Street
Elizabethtown, NY 12932
(518) 873-2240

Albany Office

342 Hamilton Street
First Floor
Albany, NY 12210
(518) 432-1770

E-Mail:

adkcouncil@aol.com

Web Site:

www.crisny.org/not-for-profit/adkcncl

State of the Park 1998

Written and designed by John F. Sheehan
Illustrations by David G. Nelson



The Adirondack Council

P.O. Box D-2
Two Church Street
Elizabethtown, NY 12932

Non-Profit
Organization
U.S. Postage
PAID
The Adirondack
Council